

Workgroup Product Approval Process

Current Process:

Currently a product is developed, reviewed and edited within a sub-workgroup. The product is then placed on the DMH website for a 45 day review period. Infrequent, if any, comments are received on that website. However, many people visit that site. Ken McKinstry stated that about 1 out of 10 visitors provide a comment.

If any comments are received, the product returns back to the sub-workgroup for inclusion into the document. The product then returns to the website for another 45 days. After 45 days on the website without comment, the document is considered ready to forward to OHI for adoption.

Issues with this process:

Participants on the sub-workgroups do not generally have delegated authority for their departments to provide final approval of products. It is believed by most members of the sub-workgroups and the statewide workgroup that obtaining departmental sign-off or deputy director level approval of products in the process would result in **no** products reaching the website. Work group members indicated that they did not process the products through their department for approval.

The statewide workgroup does not receive final products either through email or at the meetings. This group has been advised of the website review process available, however there is no formal review of the final products. It appears that this group does not have a role in the review process of final products.

Recommended Process Changes

Sub-Workgroup Products to Statewide Workgroup

1. All products under development and completed will be discussed at the Statewide Workgroup.
2. Final sub-workgroup products are emailed out to Statewide Workgroup members through the existing Workgroup system. The products are reviewed at the Statewide meeting seeking input/comments. This will allow every one's input and assure that a product from one group does not conflict with a product from another group.

OHI Review

3. After receipt of a product, OHI will do a review to assure that the product:
 - Takes into consideration all factors of the federal regulations.
 - Is generic in nature and not targeted to one program or one department.
 - Reflects any standards, policies or guidelines already issued by OHI.
 - Clearly indicates which factors in the product are mandated versus those that are optional.
 - Are consistent with the overall approach to HIPAA implementation in California.
 - OHI will determine the level of approval required prior to distribution (e.g., need HHS or Advisory Group approval?)

Product Approvals

4. OHI will seek departmental and agency approvals after the products are submitted to OHI for review.
 - OHI will forward products to the HIPAA coordinators for the state government covered entities to obtain approval. Covered entities/departments will have ten (10) business days to provide comments to OHI. If no comments are received within the ten days, it will be assumed that the covered entity/department has no comments and approves of the product.
 - This will not stop the production of work by the sub-workgroups, and will allow for a different approach to seeking approval.
 - After the product has been reviewed as indicated above, the product will be emailed to the *county and* state government impacted entity coordinators to obtain comments/approval.
 - OHI will review the comments and make a determination as to whether the comments are generic or entity specific. If generic, OHI will consider the issue/revision and if the change is to be made, return the product to the workgroup for changes.
 - If the comments are entity specific, OHI will contact the commenter and discuss the issue and let the entity know that their comment will/will not be considered and why.
5. OHI will be developing a process to share OHI's and interested impacted entities' comments on the products that are submitted for approval, when needed. OHI will return the products to the statewide workgroup coordinator and to the sub-workgroup leaders for follow-up work.

- In cases where the changes are minimal, OHI will make the necessary changes and inform the statewide workgroup coordinator and sub-workgroup leaders of the changes.

Product Distribution

6. Final products will be posted on the OHI website, and released according to the Communication plan, for example either emailed to all members of the Statewide Workgroup and all *county and* state governmental impacted entities who were included in the approval process, and/or provided a hard copy.